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FILED
DES MOINES, IOWA

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SOUTHERN DISTRICT OF

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF IOWA
CENTRAL DIVISION

IOWA PROTECTION AND
ADVOCACY SERVICES, INC.,

Plaintiff,

v.

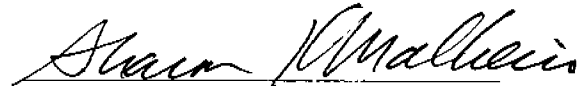
JESSIE K. RASMUSSEN, DIRECTOR
IOWA DEPARTMENT OF HUMAN
SERVICES, MICHAEL J. DAVIS,
SUPERINTENDENT OF WOODWARD
RESOURCE CENTER, KEVIN TECHAU,
DIRECTOR IOWA DEPARTMENT OF
INSPECTIONS AND APPEALS,
MARVIN TOOMAN, ADMINISTRATOR,
IOWA DEPARTMENT OF
INSPECTIONS AND APPEALS,

Defendants.

NO. 4:02-CV-90004


APPLICATION FOR ATTORNEY
FEES PURSUANT TO COURT
ORDER

COMES NOW Plaintiff Iowa Protection and Advocacy Services, Inc. and hereby submits
its Application for Attorney Fees Pursuant to the Court's Order of August 19, 2002.



Sharon K. Malheiro
Heather L. Palmer
DAVIS, BROWN, KOEHN,
SHORS & ROBERTS, P.C.
666 Walnut Street, Suite 2500
Des Moines, Iowa 50309-3993

ATTORNEYS FOR PLAINTIFF

Plaintiff's 

ORIGINAL FILED.

COPIES TO:

Gordon Allen
IOWA DEPARTMENT OF JUSTICE
Hoover Building
Des Moines, Iowa 50319

ATTORNEY FOR DEFENDANTS
RASMUSSEN AND DAVIS

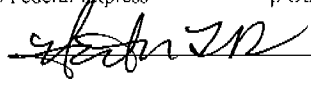
Jean Davis
IOWA DEPARTMENT OF JUSTICE
Hoover Building
Des Moines, Iowa 50319

ATTORNEY FOR DEFENDANTS
TECHAU AND TOOMAN

PROOF OF SERVICE

The undersigned certifies that the foregoing instrument was served upon all parties to the above cause to each of the attorneys of record herein at their respective addresses disclosed on the pleadings on August 26, 2002, by:

☒ US Mail ☐ FAX
☐ Hand Delivered ☐ Overnight Courier
☐ Federal Express ☐ Other:

Signature. 

PLAINTIFF'S APPLICATION FOR ATTORNEY FEES AND COSTS**I. ATTORNEY FEES**

DATE	DESCRIPTION	ATTY	HOURS	AMOUNT
07/01/02	Review of correspondence from Gordon Allen regarding insufficiencies in attorney fee application and need to discount fee award. (.2). Research on case law cited by Gordon Allen regarding reduction in fee award (.6). Drafting memo regarding response to Gordon Allen (.4).	HLP	1.20	\$126.00
07/01/02	Review of letter from Attorney Allen regarding issues relating to attorney fee award (.3). Review of memo from Heather Palmer regarding authority cited by Attorney Allen (.4).	SKM	.70	\$105.00
07/02/02	Research on Federal Rule of Civil Procedure 54D and review of ruling for preparing response (.2). Research on additional authority regarding block billing given case cited by Gordon Allen was reversed. (.3).	HLP	.50	\$52.50
07/03/02	Review of materials regarding attorney fees. (.6). Conference regarding issues relating to state's assertion that it still has time to dispute fees. (.3).	SKM	.90	\$135.00
07/10/02	Research on block billing (.5). Draft letter to Gordon Allen regarding attorney fee issue (.5).	HLP	1.00	\$105.00
07/17/02	Drafting Reply to Resistance to Attorney Fee Application filed by Gordon Allen (1). Drafting Supplemental Attorney Fee Application (.4). Drafting Supplemental Affidavit (.2).	HLP	1.60	\$168.00
07/18/02	Draft supplemental fee statement.	HLP	.80	\$84.00
08/19/02	Review of court's ruling regarding fees (.1). Telephone conference with Sylvia Piper regarding the same (.1).	SKM	.20	\$30.00
08/19/02	Review of order from court regarding fees.	HLP	.10	\$10.50
	TOTAL FEES		7	\$716.00

II. TOTAL TIME SPENT

Activity	Hours Spent
Drafting Pleadings, Motions, and Brief	2.4
Legal Research	3.3
Investigation	1.3
Interviewing	
Trial Preparation	
Trial	

SKM Sharon K. Malheiro
HLP Heather L. Palmer

III. READACTED FEES

07/02/02	Review of material regarding attorney fee issue.	SKM	.90	NC
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IV. COSTS AND EXPENSES

DATE	DESCRIPTION	CASH ADVANCED
07/19/02	Delivery to Clerk of Federal Court – Reply to Resistance to Attorney Fee Application.	\$11.00
	TOTAL COSTS	\$11.00

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF IOWA
CENTRAL DIVISION

IOWA PROTECTION AND)	NO. 4:02-CV-90004
ADVOCACY SERVICES, INC.,)	
)	
Plaintiff,)	
v.)	
)	
JESSIE K. RASMUSSEN, DIRECTOR)	
IOWA DEPARTMENT OF HUMAN)	
SERVICES, MICHAEL J. DAVIS,)	AFFIDAVIT OF ATTORNEY
SUPERINTENDENT OF WOODWARD)	FEES
RESOURCE CENTER, KEVIN TECHAU,)	
DIRECTOR IOWA DEPARTMENT OF)	
INSPECTIONS AND APPEALS,)	
MARVIN TOOMAN, ADMINISTRATOR,)	
IOWA DEPARTMENT OF)	
INSPECTIONS AND APPEALS,)	
)	
Defendants.)	

STATE OF IOWA)
)
COUNTY OF POLK)

I, Sharon Malheiro, being first duly sworn on oath, hereby depose and state that I am a member of the firm of Davis, Brown, Koehn, Shors & Roberts, P.C., the attorneys for Plaintiff in the above-captioned case; that I have read the foregoing Complaint and I am familiar with the contents thereof, and the allegations contained therein after true as I verily believe.

I further depose and state that I am regularly practicing attorney in the United States District Court for the Southern District of Iowa; that the attorney fees prayed for herein are for services rendered and to be rendered by me as attorney for Plaintiff in this action; that there has been no agreement, express or implied between me and any other person or persons except other

practicing attorneys engaged with me in this action, for a division or sharing of the attorney fees prayed for herein. I further attest that the reduced rates charged by the attorneys for Plaintiff in the instant matter are reduced from the rates charged by attorneys of similar skill, expertise, and experience in the Des Moines legal market.

Sharon K. Malheiro
Sharon K. Malheiro

Subscribed and sworn to before me this 26th day of August, 2002.

Karen A. Millard
Notary Public, State of Iowa

